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Attorneys for Defendant
SONY MUSIC ENTERTAINMENT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHANA AZ MANGROE p/k/a Channii
Monroe,

Plaintiff,

v.

TERIUS GESTEELDE-DIAMANT
p/k/a "THE-DREAM"; CONTRA
PARIS, LLC; and SONY MUSIC
ENTERTAINMENT,

Defendants.

CASE NO. 2:24-CV-04639-SPG-PVG

**DEFENDANT SONY MUSIC
ENTERTAINMENT'S NOTICE OF
MOTION AND MOTION TO
DISMISS**

Hearing:

Date: January 29, 2025

Time: 1:30 p.m.

Place: Courtroom 5C

Judge: Hon. Sherrilyn Peace Garnett

1 **TO THE HONORABLE SHERILYN PEACE GARNETT, UNITED STATES**
2 **DISTRICT JUDGE, AND TO ALL PARTIES AND THEIR COUNSEL OF REC-**
3 **ORD:**

4 **PLEASE TAKE NOTICE** that, on January 29, 2025, at 1:30 PM, or as soon
5 thereafter as may be heard by the Court, before the Honorable Sherilyn Peace Garnett,
6 United States District Judge, in Courtroom 5C of the First Street Courthouse, 350 W.
7 1st Street, Los Angeles, California 90012, Defendant Sony Music Entertainment
8 (“SME”) will, and hereby does, move pursuant to Federal Rule of Civil Procedure
9 12(b)(6) to dismiss Plaintiffs’ First Amended Complaint, Dkt. 32. This Court should
10 dismiss Plaintiff’s First Amended Complaint against Sony Music with prejudice because
11 Plaintiff fails to state a claim upon which relief can be granted that is plausible on its
12 face.

13 To establish both an entitlement to sue and beneficiary liability under the civil
14 federal sex trafficking statute, 18 U.S.C. § 1595, Plaintiff must first plausibly allege a
15 criminal sex trafficking violation under 18 U.S.C. § 1591(a)(1). *Acevedo v. eXp Realty,*
16 *LLC*, 713 F. Supp. 3d 740, 775-76 (C.D. Cal. 2024). Plaintiff fails to do so because she
17 does not plausibly allege that Terius Gesteelde-Diamant, professionally known as The-
18 Dream (“Dream”) caused her to engage in a commercial sex act or had the requisite
19 scienter at the time he allegedly enticed or recruited Plaintiff. *See United States v. Todd*,
20 627 F.3d 329, 334 (9th Cir. 2010).

21 Plaintiff’s amended complaint also fails to allege facts sufficient to establish the
22 other elements of a claim against SME under Section 1595. To survive a motion to
23 dismiss, Plaintiff must establish that SME: (1) knowingly benefitted, (2) from participa-
24 tion in a venture, (3) that it knew or should have known violated section 1591. *Ratha v.*
25 *Phattana Seafood Co.*, 35 F.4th 1159, 1175 (9th Cir. 2022). Plaintiff fails to allege
26 adequate facts to support any of these required elements. She does not allege facts show-
27 ing the SME had actual or constructive knowledge that Plaintiff was caused to engage
28 in commercial sex—as opposed to abusive and harassing conduct, which is not

1 actionable under the statute—through force, fraud, or coercion. Plaintiff also fails to
2 adequately allege that SME participated in a venture with Dream by means of a direct
3 or continuous business relationship. Finally, Plaintiff does not allege facts showing that
4 SME knowingly benefitted, either through financial or other tangible gain, from its pro-
5 fessional relationship with Dream or Plaintiff. This Motion is based on this Notice of
6 Motion and Motion to Dismiss; the accompanying Memorandum of Points and Author-
7 ities; all pleadings, records, and files in this action; all matters of which judicial notice
8 may or shall be taken; and any other oral or written evidence or argument that the Court
9 may consider.

10 This Motion is made following conference between counsel for Plaintiffs and De-
11 fendants, pursuant to Central District Local Rule 7-3, which took place on November
12 11, 2024. The parties thoroughly discussed the substance and potential resolution of the
13 filed motion by videoconference. During this conference, Plaintiff's counsel confirmed
14 that Plaintiff does not assert that SME violated section 1591(a)(2).

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16 Dated: November 18, 2024

GIBSON, DUNN & CRUTCHER LLP

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18 By: /s/ Kristin A. Linsley

19 Kristin A. Linsley

20 Attorney for Defendant
21 Sony Music Entertainment
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